

Exhibit D

From: Cary, Rob
To: Rebold, Jonathan (USANYS); Lockard, Michael (USANYS); Latcovich, Simon; Kirkpatrick, James; Schiffmann, Eden
Subject: RE: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)
Date: Tuesday, March 19, 2024 11:46:13 AM

Thanks. Your language captures our position.

Robert M. Cary

Williams & Connolly LLP

680 Maine Avenue SW, Washington, D.C. 20024

(Office) 202-434-5175 | (Mobile) 703-307-8585

rcary@wc.com | www.wc.com/rcary

From: Rebold, Jonathan (USANYS) <Jonathan.Rebold@usdoj.gov>
Sent: Tuesday, March 19, 2024 11:39 AM
To: Cary, Rob <RCary@wc.com>; Lockard, Michael (USANYS) <Michael.Lockard@usdoj.gov>; Latcovich, Simon <SLatcovich@wc.com>; Kirkpatrick, James <JKirkpatrick@wc.com>; Schiffmann, Eden <ESchiffmann@wc.com>
Subject: RE: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)

Thanks, Rob. I believe that position was captured by the proposed language I read over the phone, and which I'm copying here, but please let me know if that's incorrect: "Halkbank consents to the requested stay, except with respect to its pending motion to dismiss (D.E. 31-36), including appeals. Counsel for Halkbank has further advised the Government that it believes the parties should not be precluded from seeking to lift the stay after any appeal from the Court's ruling on the motion to dismiss is final."

Jonathan E. Rebold
 Assistant United States Attorney
 Southern District of New York
 One Saint Andrew's Plaza
 New York, NY 10007
 (212) 637-2512

From: Cary, Rob <RCary@wc.com>
Sent: Tuesday, March 19, 2024 11:36 AM
To: Lockard, Michael (USANYS) <MLockard@usa.doj.gov>; Latcovich, Simon <SLatcovich@wc.com>; Kirkpatrick, James <JKirkpatrick@wc.com>; Schiffmann, Eden <ESchiffmann@wc.com>
Cc: Rebold, Jonathan (USANYS) <JRebold@usa.doj.gov>
Subject: [EXTERNAL] RE: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)

Jonathan: Thanks for talking. We adhere to the language below. Rob

Robert M. Cary

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From: Cary, Rob <RCary@wc.com>
Sent: Monday, March 18, 2024 6:55 AM
To: Lockard, Michael (USANYS) <Michael.Lockard@usdoj.gov>; Latcovich, Simon <SLatcovich@wc.com>; Kirkpatrick, James <JKirkpatrick@wc.com>; Schiffmann, Eden <ESchiffmann@wc.com>
Cc: Rebold, Jonathan (USANYS) <Jonathan.Rebold@usdoj.gov>
Subject: RE: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)

Your proposal is acceptable to Halkbank with two clarifications. First, Halkbank would be able to litigate its motion to dismiss through all appeals. Second, our agreement is without prejudice to any party's right to file a motion to lift the stay after the motion to dismiss has been finally decided on appeal.

If these clarifications are acceptable, please let me know when you have heard from plaintiffs. I would like to have a brief discussion with you regarding how our position is presented to the court.

Thanks.

From: Lockard, Michael (USANYS) <Michael.Lockard@usdoj.gov>

Date: Friday, Mar 15, 2024 at 12:34 PM

To: Cary, Rob <RCary@wc.com>, Latcovich, Simon <SLatcovich@wc.com>, Kirkpatrick, James <JKirkpatrick@wc.com>, Schiffmann, Eden <ESchiffmann@wc.com>

Cc: Rebold, Jonathan (USANYS) <Jonathan.Rebold@usdoj.gov>

Subject: Re: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)

Thanks, Rob.

Michael D. Lockard
Assistant United States Attorney
Southern District of New York
212.637.2193 (office)

From: Cary, Rob <RCary@wc.com>

Sent: Friday, March 15, 2024 1:05:19 PM

To: Lockard, Michael (USANYS) <MLockard@usa.doj.gov>; Latcovich, Simon <SLatcovich@wc.com>; Kirkpatrick, James <JKirkpatrick@wc.com>; Schiffmann, Eden <ESchiffmann@wc.com>

Cc: Rebold, Jonathan (USANYS) <JRebold@usa.doj.gov>

Subject: [EXTERNAL] RE: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)

I'm sorry, but we won't be in a position to respond until Monday.

From: Lockard, Michael (USANYS) <Michael.Lockard@usdoj.gov<<mailto:Michael.Lockard@usdoj.gov>>>

Date: Friday, Mar 15, 2024 at 12:42 PM

To: Cary, Rob <RCary@wc.com<<mailto:RCary@wc.com>>>, Latcovich, Simon <SLatcovich@wc.com<<mailto:SLatcovich@wc.com>>>, Kirkpatrick, James <JKirkpatrick@wc.com<<mailto:JKirkpatrick@wc.com>>>, Schiffmann, Eden <ESchiffmann@wc.com<<mailto:ESchiffmann@wc.com>>>

Cc: Rebold, Jonathan (USANYS) <Jonathan.Rebold@usdoj.gov<<mailto:Jonathan.Rebold@usdoj.gov>>>

Subject: Re: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)

Counsel, following up again on this. We hadn't talked about timing in our earlier discussions but we were hoping to be able to file today or Monday, and will still need to speak with plaintiffs' counsel after you let us know your position on the proposal below.

Understanding that we hadn't raised timing previously, do you have a sense of when you will be in a position to respond?

Thanks,
Michael

Michael D. Lockard
Assistant United States Attorney
Southern District of New York
212.637.2193 (office)

From: Lockard, Michael (USANYS) <MLockard@usa.doj.gov>

Sent: Wednesday, March 13, 2024 2:21 PM

To: Cary, Rob <RCary@wc.com>; Latcovich, Simon <SLatcovich@wc.com>; Kirkpatrick, James <JKirkpatrick@wc.com>; Schiffmann, Eden <ESchiffmann@wc.com>

Cc: Rebold, Jonathan (USANYS) <JRebold@usa.doj.gov>

Subject: Re: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)

Counsel, following up on our call Monday, we don't believe that the pending motion to dismiss significantly affects the interests that our stay motion seeks to protect. As discussed on the call, we propose to seek a stay of all proceedings except the motion, docket entry 31 (and related filings at 32 through 36).

If you consent to that proposal, we'll alert plaintiffs' counsel so they can also register their position on the proposal.

Thanks,
Michael

Michael D. Lockard
Assistant United States Attorney

Southern District of New York
212.637.2193 (office)

From: Cary, Rob <RCary@wc.com>
Sent: Monday, March 11, 2024 10:15:36 AM
To: Lockard, Michael (USANYS) <MLockard@usa.doj.gov>; Latcovich, Simon <SLatcovich@wc.com>; Kirkpatrick, James <JKirkpatrick@wc.com>; Schiffmann, Eden <ESchiffmann@wc.com>
Cc: Rebold, Jonathan (USANYS) <JRebold@usa.doj.gov>
Subject: [EXTERNAL] RE: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)

Thanks. We can use the following call-in number:

888-330-1716,, 6614216#

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-----Original Message-----

From: Lockard, Michael (USANYS) <Michael.Lockard@usdoj.gov>
Sent: Monday, March 11, 2024 9:39 AM
To: Latcovich, Simon <SLatcovich@wc.com>; Cary, Rob <RCary@wc.com>; Kirkpatrick, James <JKirkpatrick@wc.com>; Schiffmann, Eden <ESchiffmann@wc.com>
Cc: Rebold, Jonathan (USANYS) <Jonathan.Rebold@usdoj.gov>
Subject: RE: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)

3:30 this afternoon works for us.

Thanks,
Michael

-----Original Message-----

From: Latcovich, Simon <SLatcovich@wc.com>
Sent: Friday, March 8, 2024 12:40 PM
To: Lockard, Michael (USANYS) <MLockard@usa.doj.gov>; Cary, Rob <RCary@wc.com>; Kirkpatrick, James <JKirkpatrick@wc.com>; Schiffmann, Eden <ESchiffmann@wc.com>
Cc: Rebold, Jonathan (USANYS) <JRebold@usa.doj.gov>
Subject: [EXTERNAL] RE: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)

Thanks, Michael. How about 3:30 pm (EST)? If that works I can circulate a dial in.

Best regards,
Simon

Simon Latcovich
Williams & Connolly LLP
680 Maine Avenue SW, Washington, DC 20024
202-434-5967 | vcard<<https://protect2.fireeye.com/v1/url?k=9d4521de-f8089853-9d42053b-74fe48680e18-2a81752a14131073&q=1&e=d7f06e88-610e-4d98-834b-6cf80b9f937b&u=https%3A%2F%2Fwww.wc.com%2FAttorneys%2FSimon-A-Latcovich.vcf>> | <https://protect2.fireeye.com/v1/url?k=806d9922-e52020af-806abdc7-74fe48680e18-15fa5637e4b254d5&q=1&e=d7f06e88-610e-4d98-834b-6cf80b9f937b&u=http%3A%2F%2Fwww.wc.com%2Fslatcovich&https://protect2.fireeye.com/v1/url?k=6356ae49-061b17dc-63518aac-000babff41af-c0bf90d7c76c7f9c&q=1&e=9ae79dfb-d5a4-4e6b-a437-c334a06b9dee&u=http%3A%2F%2Fwww.wc.com%2Fslatcovich><https://protect2.fireeye.com/v1/url?k=4390153b-26ddacb6-439731de-74fe48680e18-02dcfad48043326e&q=1&e=d7f06e88-610e-4d98-834b-6cf80b9f937b&u=http%3A%2F%2Fwww.wc.com%2Fslatcovich%253Chttps%3A%2F%2Fprotect2.fireeye.com%2Fv1%2Furl%3Fk%3D6356ae49-061b17dc-63518aac-000babff41af-c0bf90d7c76c7f9c%26q%3D1%26e%3D9ae79dfb-d5a4-4e6b-a437-c334a06b9dee>>

From: Lockard, Michael (USANYS) <Michael.Lockard@usdoj.gov<<mailto:Michael.Lockard@usdoj.gov>>>

Date: Friday, Mar 08, 2024 at 9:50 AM

To: Cary, Rob <RCary@wc.com<<mailto:RCary@wc.com>>>, Latcovich, Simon <SLatcovich@wc.com<<mailto:SLatcovich@wc.com>>>, Kirkpatrick, James <JKirkpatrick@wc.com<<mailto:JKirkpatrick@wc.com>>>, Schiffmann, Eden <ESchiffmann@wc.com<<mailto:ESchiffmann@wc.com>>>
Cc: Rebold, Jonathan (USANYS) <Jonathan.Rebold@usdoj.gov<<mailto:Jonathan.Rebold@usdoj.gov>>>
Subject: Re: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)

Thanks, Rob. I'm tied up all morning but happy to talk Monday afternoon.

Michael D. Lockard
Assistant United States Attorney
Southern District of New York
212.637.2193 (office)

From: Cary, Rob <RCary@wc.com>
Sent: Friday, March 8, 2024 8:48:29 AM
To: Lockard, Michael (USANYS) <MLockard@usa.doj.gov>; Latcovich, Simon <SLatcovich@wc.com>; Kirkpatrick, James <JKirkpatrick@wc.com>; Schiffmann, Eden <ESchiffmann@wc.com>
Cc: Rebold, Jonathan (USANYS) <JRebold@usa.doj.gov>
Subject: [EXTERNAL] RE: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)

Michael:

We think we might be able to reach an agreement that accommodates the various concerns. Do you have a few minutes to discuss this now (Simon is about to get on a long plane ride from the West Coast)? If so, please call my cell – 703-307-8585 – and I will patch him in. If not, could we discuss on Monday? We are wide-open after 3:00 and hopeful we can reach an agreement.

Rob

Robert M. Cary

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From: Lockard, Michael (USANYS) <Michael.Lockard@usdoj.gov>
Sent: Wednesday, March 6, 2024 2:11 PM
To: Cary, Rob <RCary@wc.com>; Latcovich, Simon <SLatcovich@wc.com>; Kirkpatrick, James <JKirkpatrick@wc.com>; Schiffmann, Eden <ESchiffmann@wc.com>
Cc: Rebold, Jonathan (USANYS) <Jonathan.Rebold@usdoj.gov>
Subject: Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV)

Counsel,

The Government expects to file a motion this week seeking to intervene in Hughes v. Turkiye Halk Bankasi, A.S., 23 Civ. 6481 (MKV), in order to request a stay of proceedings pending United States v. Turkiye Halk Bankasi, A.S., 15 Cr. 867 (RMB). Could you let us know whether you oppose the request?

Thank you,

Michael

Michael D. Lockard

Assistant United States Attorney

Southern District of New York

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